

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
-----X
UNITED STATES OF AMERICA,

Plaintiff,

ORDER ADOPTING REPORT AND
RECOMMENDATION
04-CV-4405 (JS)(ARL)

-against-

RUTH L. MCCURDY, aka,
RUTH WALKER,

Defendant.

-----X

Appearances:

For Plaintiff: Michael T. Sucher, Esq.
26 Court Street, Suite 2412
Brooklyn, NY 11242

For Defendant: No Appearance

SEYBERT, District Judge:

Upon review of the Report and Recommendation of Magistrate Judge Arlene R. Lindsay, dated August 4, 2005, to which no party has objected, the Court hereby ADOPTS the Report and Recommendation in its entirety.

Magistrate Judge Lindsay's Report and Recommendation provided that any objections were to be filed with the Clerk of the Court "within 10 days of service." The Court notes that the time has expired and no objections have been filed. All objections, therefore, are hereby deemed waived.

Accordingly, the Court ADOPTS the Report and Recommendation in its entirety and ORDERS that a default judgment be entered against Defendant in accordance with Magistrate Judge Lindsay's Report and Recommendation and that Plaintiff's motion for

attorney's fees be GRANTED. Plaintiffs are directed to serve a copy of this Order on Defendant and file proof of service with the Court.

SO ORDERED

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
September 22, 2005